



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

EDWARDS et al.

Serial No.: 09/247,893

Filed: February 10, 1999

Atty. File No.: 4366-33

For: "DYNAMICALLY ALLOCATING  
SERVER RESOURCES TO  
COMPETING CLASSES OF WORK  
BASED UPON ACHIEVEMENT OF  
SERVICE GOALS"

) Group Art Unit: 2642

) Examiner: WILLIAM J. DEANE, JR.

) SECOND PRELIMINARY AMENDMENT

"EXPRESS MAIL" MAILING LABEL NUMBER: EV368038020US  
DATE OF DEPOSIT: 6/4/04

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE  
UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX  
1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Barbara Tyndall

SIGNATURE: *Barbara Tyndall*

RECEIVED

JUN 10 2004

Technology Center 2600

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

Prior to the initial review of the above-identified patent application by the Examiner, please enter the following Second Preliminary Amendment. Although Applicants do not believe that any fees are due based upon the filing of this Preliminary Amendment, please charge any such fees to Deposit Account 19-1970.

Please amend the above-identified patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 21 of this paper.



06-07-04

269

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

EDWARDS et al.

Serial No.: 09/247,893

Filed: February 10, 1999

Atty. File No. 4366-33

For: "DYNAMICALLY ALLOCATING  
SERVER RESOURCES TO  
COMPETING CLASSES OF WORK  
BASED UPON ACHIEVEMENT OF  
SERVICE GOALS"

) Group Art Unit: 2642

)

) Examiner: WILLIAM J. DEANE, JR.

)

) RESPONSE TO NOTICE OF NON-  
) COMPLIANT AMENDMENT

)

)

)

)

)

)

)

)

)

)

"EXPRESS MAIL" MAILING LABEL NUMBER: EV368038020US  
DATE OF DEPOSIT: 6/4/04

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE  
UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX  
1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Barbara J. Tyndall

SIGNATURE: 

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED

JUN 1 0 2004

Dear Sir:

Technology Center 2600

Pursuant to the Notice of Non-Compliant Amendment mailed May 24, 2004, attached hereto is a "Second Preliminary Amendment", which Applicants now believes is in compliance with 37 CFR 1.121. Although Applicants do not believe that any fees are due based upon the filing of this response, please charge any such fees to Deposit Account 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Douglas W. Swartz  
Registration No. 37,739  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: June 4, 2004